

**IN THE UNITED STATES DISTRICT COURT OF THE
WESTERN DISTRICT OF OKLAHOMA**

ROSANNA KITTLES,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-16- <u>570-D</u>
)	
)	
)	
CLEVELAND COUNTY, OKLAHOMA,)	
a political division which is sued)	JURY TRIAL DEMANDED
in the name of the Board of County)	
Commissioners for Cleveland County,)	
Oklahoma (a/k/a Cleveland County)	
Sheriff's Office),)	
Defendant.)	

NOTICE OF REMOVAL

Defendant Cleveland County, Oklahoma, a political division which is sued in the name of the Board of County Commissioners for Cleveland County, Oklahoma (a/k/a Cleveland County Sheriff's Office) (hereby "Defendant") hereby notifies the Court and the parties that it is removing this action to the United States District Court of the Western District of Oklahoma pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 1441, *et seq.* Defendant respectfully shows the Court as follows:

1. Defendant is the named Defendant in a civil action brought against it in the District Court of Cleveland County, State of Oklahoma, styled *Rosanna Kittles v. Cleveland County, Oklahoma, a political division which is sued in the name of the Board of County Commissioners for Cleveland County Oklahoma (a/k/a Cleveland County Sheriff's Office)*, Case No. CJ-2016-514 W ("State Court Action"). The State Court Action was filed on May 4, 2016.

2. Plaintiff filed her Petition on the 4th day of May, 2016, asserting violations of the Americans with Disabilities Act, Title VII of the Civil Rights Act of 1964, and the Oklahoma Anti-Discrimination Act.

3. Defendant was served with a copy of the Petition and Summons on May 17, 2016. Therefore, this Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b) as it is filed within the thirty days after service of the Petition on Defendant.

4. This removal is pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 1441 as Plaintiff has alleged claims arising under the laws of the United States.

5. Written notice of the filing of this Notice of Removal will promptly be given to Plaintiff and a copy of the Notice of Removal will be filed with the Clerk of the District Court of Cleveland County, State of Oklahoma, as provided by 28 U.S.C. § 1446(d).

6. Copies of all process, pleadings, and orders filed or served upon Defendants in the aforementioned State Court Action are attached hereto as follows, and made a part hereof:

- Exhibit 1 Docket Sheet
- Exhibit 2 Petition
- Exhibit 3 Entry of Appearance of Amber Hurst
- Exhibit 4 Entry of Appearance of Leah Roper

7. Defendant respectfully reserves its right to file all appropriate motions and raise all defenses and objections in this action after it has been properly removed to the United States District Court for the Western District of Oklahoma.

WHEREFORE, Defendant Cleveland County, Oklahoma, a political division which is sued in the name of the Board of County Commissioners for Cleveland County, Oklahoma

(a/k/a Cleveland County Sheriff's Office), by and through its respective counsel, hereby removes the above-captioned case now pending in the District Court of Cleveland County, State of Oklahoma, to the United States District Court of the Western District of Oklahoma, invoking this Court's original jurisdiction.

JURY TRIAL DEMANDED.

Respectfully submitted,

s/Jessica L. Dark

Robert S. Lafferrandre, OBA #11897

Randall J. Wood, OBA #10531

Jessica L. Dark, OBA #31236

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Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of May, 2016, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and caused to be served a true and correct copy of the foregoing document, by mailing such document to the following attorneys of record:

Amber L. Hurst
Leah Roper
HAMMONS, GOWENS, HURST & ASSOC.
325 Dean A. McGee Avenue
Oklahoma City, Oklahoma 73102
Attorneys for Plaintiff

s/ Jessica L. Dark
Jessica L. Dark